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Dr. Xinyu Fu 3725 Miramar Street Apt C. La Jolla, CA 92037

Re: U.S. Patent Application No. 09/023,231

Title: NUDE MOUSE MODEL FOR NEOPLASTIC DISEASE

By: Ann MONOSOV et al. Our Reference: 31276-20014.30

U.S. Patent Application No. 09/023,232

Title: NUDE MOUSE MODEL FOR HUMAN NEOPLASTIC

**DISEASE** 

By: Ann MONOSOV et al.

Our reference: 31276-20015.30

Dear Dr. Fu:

This letter is further to my letters to you dated: January 26<sup>th</sup>; March 29<sup>th</sup>; and August 17<sup>th</sup>; each of this year. A letter that I sent to you addressed to 3724 Miramar Street on September 11, 1998 was not delivered because of an incorrect address.

In each of my letters, I requested your assistance in signing Reissue Application Declarations and Powers of Attorney to be filed on behalf of AntiCancer, Incorporated in the two above identified patent applications. This letter is my final request for your assistance in executing these declarations as indicated.

I would also appreciate your review of the information pertaining to your residence; citizenship and post office address. If any of this information is incorrect, please provide the correct information and initial and date next to each of your corrections. Would you please review and sign each document as indicated and return these originally signed documents to our office at your earliest possible opportunity?

We have been attempting to locate you and request your signature on these declarations over the past year without much success. Please note that it is now necessary that we file these documents as soon as possible. Therefore, I would appreciate your signing and returning these signed documents to my office no later than

## MORRISON & FOERSTER LLP

Dr. Xinyu Fu November 2, 1999 Page Two

November 10, 1999. I have enclosed a return addressed pre-paid overnight mailing envelope for your convenience.

Please note, that under provisions of the patent statutes, where an inventor refuses to join in an application for patent by executing a declaration on his own behalf or where an inventor can not be located after diligent effort, another inventor on behalf of himself or herself may execute the declaration as well as on behalf of the nonsigning inventor. I have contacted Dr. Ann Monosov to request that she execute the Declarations on her own behalf and on your behalf. However, the nonsigning inventor may subsequently join in the application on filing a declaration complying with 37 CFR §1.63.

Also, be advised that if I have not heard from you nor received your executed declarations by November 10<sup>th</sup>, nor received Dr. Monosov's declarations signed on behalf of herself and your behalf, I will assume that you have declined to sign these documents. In which case, we will proceed under 37 C.F.R. §1.47(b) to file a petition with the Commissioner of the U.S. Patent and Trademark Office stating that both of the joint inventors of these identified patent applications have either declined to sign the oaths or declarations or could not be located after diligent effort. As permitted under the regulations, an official of AntiCancer, Incorporated, as assignee of the present inventions, will then make application for the above identified patent applications.

As I noted in my previous letter to you, since these documents may contain proprietary information, I request that you maintain them as confidential information.

Please do not hesitate to contact me, should you have any questions concerning these documents.

Sincerely,

Thomas D. Mays, Ph.D., J.D.

**Enclosures**